



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2020-045

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	27
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

**From:** [Arugay, Fred](#)  
**To:** [CMTEDD FOI](#); [Southwell, Linda](#)  
**Cc:** [Bennett, JamesP](#)  
**Subject:** RE: FOI Request  
**Date:** Tuesday, 25 February 2020 10:03:50 AM  
**Attachments:** [image006.png](#)  
[image007.png](#)  
[image008.jpg](#)  
[image009.jpg](#)  
[image010.jpg](#)  
[image011.jpg](#)

**From:** [REDACTED]  
**Sent:** Thursday, 13 February 2020 5:41 PM  
**To:** CMTEDD FOI <[CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)>  
**Subject:** FOI Request

FOI Officer

Chief Minister, Treasury and Economic Development Directorate  
GPO Box 158  
CANBERRA ACT 2601

Dear FOI Officer,

I write to request under the *Freedom of Information Act 2016* (FOI Act) documents that relate to the answering of Question on Notice no. 08, Standing Committee on Planning and Urban Renewal, Inquiry into referred 2018–19 Annual and Financial Reports. These documents may include, but are not limited to, drafts of the answer, internal correspondence, ministerial directions, system logs and/or TRIM files.

I make this request pursuant to section 30 of the FOI Act.

[REDACTED]

I also ask that this request be forwarded to relevant directorates that may hold any of this information.

Should you require any further information or clarification about my request, please contact my office on [REDACTED].

Best wishes,

[REDACTED]



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2020-045



## FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 2 May 2020, in which you sought access to:

- Documents that relate to the answering of Question on Notice no. 08, Standing Committee on Planning and Urban Renewal, Inquiry into referred 2018–19 Annual and Financial Reports.

### Authority

As an appointed Information Officer under section 18 of the Act, I am authorised to make a decision on access or amendment to government information in the possession or control of CMTEDD.

### Timeframes

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 31 March 2020, however your office granted an extension on 30 March with the due date now 16 April 2020.

### Decision on access

Searches were completed for relevant documents and 17 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant access in full to 13 documents and partial access to 3 documents relevant to your request. I have decided to refuse access to the remaining document as I consider it to be contrary to the public interest information under section 1.2 of Schedule 1 of the Act.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

### **Statement of Reasons**

In reaching my access decisions, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request;
- the *Human Rights Act 2004*.

### **Exemption claimed**

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

#### Contrary to the public interest information under section 1.2 of Schedule 1 of the Act

Three documents that have been identified as being within the scope of your request are either fully (document 17 in the attached Schedule) or partially (documents 7 and 10 in the attached Schedule) composed of information that is considered to be contrary to the public interest information under section 1.2 of Schedule 1 of the Act as it is information that is deemed privileged under Legal Professional Privilege. This information can only be released if the parties involved agree to waive that privilege. The parties have not waived privilege.

#### Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

##### Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

##### Factors favouring disclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (i) *promote open discussion of public affairs and enhance the government's accountability.*

Having considered the factor above, I consider that the release of these documents may promote open discussion of public affairs and enhance the government's accountability by allowing you to have a record of the process behind the answering of your Question on Notice. I am satisfied that this factor favouring disclosure carries some weight. However, this factor is to be balanced against the factors favouring non-disclosure.

Factors favouring nondisclosure in the public interest:

(a) *disclosure of the information could reasonably be expected to do any of the following:*

*(ii) prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*

When considering the documents and factors in favour of non-disclosure, I have considered the personal information contained in the documents, including block and section designators of people's homes. I consider it unreasonable to release information that could reveal the private residential address details of the person or persons that have been in contact with Access Canberra contained in the documents. I believe the release of this information may prejudice the protection of these individuals' right to privacy or any other right under the *Human Rights Act 2004*. I am satisfied that this factor favouring non-disclosure should be afforded significant weight as it relates to the individuals' privacy.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information (document 15 in the attached Schedule) in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

**Charges**

Processing charges are not applicable for this request because the number of pages being released to you is less than the charging threshold of 50.

**Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log after 13 April 2020. Your personal contact details will not be published.

You may view CMTEDD disclosure log at

<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log>.

**Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73

of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
Level 4, 1 Moore St  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely



Philip Dachs  
Information Officer  
Information Access Team  
Chief Minister, Treasury and Economic Development Directorate

9 April 2020



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

### WHAT ARE THE PARAMETERS OF THE REQUEST

Reference NO.

Documents that relate to the answering of Question on Notice no. 08, Standing Committee on Planning and Urban Renewal, Inquiry into referred 2018-19 Annual and Financial Reports.

CMTEDDFOI 2020-045

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-6	Email chain	Feb-2020	Full release	N/A	Yes
2	7	Email	Feb-2020	Full release	N/A	Yes
3	8-9	Email chain	Feb-2020	Full release	N/A	Yes
4	10-12	ACT Legislative Assembly Question	Feb-2020	Full release	N/A	Yes
5	13	Email	Feb-2020	Full release	N/A	Yes
6	14-15	Email chain	Feb-2020	Full release	N/A	Yes
7	16	Email chain	Feb-2020	Partial release	Sch 1 s1.2	Yes
8	17	Email chain	Feb-2020	Full release	N/A	Yes
9	18	Email chain	Feb-2020	Full release	N/A	Yes
10	19	Email chain	Jan-2020	Partial release	Sch 1 s1.2	Yes
11	20-21	Email chain	Jan-2020	Full release	N/A	Yes
12	22-23	Email chain	Jan-2020	Full release	N/A	Yes
13	24-27	Email chain	Dec-2019	Full release	N/A	Yes
14	28-33	Email	Nov-2019	Full release	N/A	Yes

15	34-36	Lease Conveyancing Enquiry	Aug-2018	Partial release	Sch 2 s2.2 (a)(ii)	Yes
16	37-40	Answer to Question on Notice		Full release	N/A	Yes
17		Documents containing information subject to Legal Professional Privilege			Sch 1 s1.2	No
<b>Total No of Docs</b>						
17						

**From:** "Wijeratne, Asoka" <Asoka.Wijeratne@act.gov.au>  
**Sent:** 26/02/2020 5:41 AM  
**To:** "Bennett, JamesP" <JamesP.Bennett@act.gov.au>  
**Cc:** "Cameron, Lesley" <Lesley.Cameron@act.gov.au>; "Paynter, Patrick" <Patrick.Paynter@act.gov.au>; "Arugay, Fred" <Fred.Arugay@act.gov.au>; "Riches, Dominic" <Dominic.Riches@act.gov.au>  
**Subject:** RE: FOR ACTION - New Question on Notice - QON 2915 - KIKKERT - Transmission line towers - Due 27/02/20  
**Attachments:** Quotation 120220EPSDD, Transgrid 330kV transmission line fence earthing

UNCLASSIFIED

Hi James,  
Patrick is at a meeting currently and I am not certain whether he is coming in tomorrow.

A draft is awaiting Patrick's review. We have had discussions on a letter with Comms – Scott Woodard. Scott was going to talk with you and Brett Phillips to get a feel for the sensitivities and also the status of the FOI/QON before he drafts the letter. It would be good to attach a draft letter to the DG Brief.

Attached is the proposal from a service provider. The proposal contains a plan and TransGid's suggestions which have been incorporated into the plan. I am awaiting a proposal from a second service provider who is dragging the chain a bit.

Regards  
Asoka

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**From:** Bennett, JamesP <JamesP.Bennett@act.gov.au>  
**Sent:** Wednesday, 26 February 2020 3:23 PM  
**To:** Paynter, Patrick <Patrick.Paynter@act.gov.au>; Arugay, Fred <Fred.Arugay@act.gov.au>; Riches, Dominic <Dominic.Riches@act.gov.au>  
**Cc:** Wijeratne, Asoka <Asoka.Wijeratne@act.gov.au>; Cameron, Lesley <Lesley.Cameron@act.gov.au>  
**Subject:** RE: FOR ACTION - New Question on Notice - QON 2915 - KIKKERT - Transmission line towers - Due 27/02/20

UNCLASSIFIED

Hi Patrick  
Thanks for your responses.

Has there been any progress on the brief to DG re question 5?

I am keen to get this to Brett tomorrow.

Thanks  
James

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**From:** Paynter, Patrick <[Patrick.Paynter@act.gov.au](mailto:Patrick.Paynter@act.gov.au)>  
**Sent:** Friday, 21 February 2020 2:18 PM  
**To:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>; Riches, Dominic <[Dominic.Riches@act.gov.au](mailto:Dominic.Riches@act.gov.au)>  
**Cc:** Bennett, JamesP <[JamesP.Bennett@act.gov.au](mailto:JamesP.Bennett@act.gov.au)>; Wijeratne, Asoka <[Asoka.Wijeratne@act.gov.au](mailto:Asoka.Wijeratne@act.gov.au)>; Cameron, Lesley <[Lesley.Cameron@act.gov.au](mailto:Lesley.Cameron@act.gov.au)>  
**Subject:** FW: FOR ACTION - New Question on Notice - QON 2915 - KIKKERT - Transmission line towers - Due 27/02/20  
**Importance:** High

UNCLASSIFIED

Fred, Dom,

Please find below Asoka and my draft responses to each of the questions from 2 to 7. We have a separate brief on the earthing issue to the DG that we may want some clarity/agreement on before we respond to question 5.

In relation to Question 1 – we may have provided plans for a previous FOI showing the agreed location of towers previously. For completeness, I attach the email that contains the agreed location of transmission lines and towers.

There are some other important points, in addition to the responses below, that you should be aware of in relation to the project. You would know that the fences were not in place when the DA was approved and at any rate – Evoenergy and TransGrid do not consider it their responsibility to undertake earthing of adjacent fences.. You should also know that drawings prepared for earthing of the fences were prepared by consultants for the Ginninderra Estate developer but that we have determined that these are inaccurate and have resulted in the earthing not being undertaken as it should have. If accurate drawings were prepared and these works carried out then the issues raised at items 6 and 7 may not have occurred.

Asoka and I are available to discuss the FOI response and any other issues. I assume the response to the FOI is being cleared through Brett and Carolyn? As such I have not asked Lesley to clear our responses.

Regards

Patrick

Patrick Paynter | Director | Infrastructure Planning

Phone: 02 6207 2434 | Email: [patrick.paynter@act.gov.au](mailto:patrick.paynter@act.gov.au)

Planning, Land and Building Policy

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | [www.planning.act.gov.au](http://www.planning.act.gov.au)

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**From:** Wijeratne, Asoka <[Asoka.Wijeratne@act.gov.au](mailto:Asoka.Wijeratne@act.gov.au)>

**Sent:** Thursday, 20 February 2020 11:06 AM

**To:** Paynter, Patrick <[Patrick.Paynter@act.gov.au](mailto:Patrick.Paynter@act.gov.au)>

**Subject:** RE: FOR ACTION - New Question on Notice - QON 2915 - KICKERT - Transmission line towers - Due 27/02/20

**Importance:** High

UNCLASSIFIED

Hi Patrick,

Please find draft comments for your review:

**2915 MRS KICKERT:** To ask the Minister for Planning and Land Management

- (1) In relation to the answer to question on notice No 08 from the Standing Committee on Planning and Urban Renewal's inquiry into 2018-19 annual and financial reports, can the Minister provide a document that accurately shows the final location of the transmission line towers as agreed to by Woodhaven and the Belconnen Golf Club, as referenced in the answer to part (1)(b). **Refer set of drawings in attached email.**
- (2) On what dates did TransGrid begin and complete the audit of fences that do not comply with earthing requirements, as referred to in the answer to part (2)(b). **The site assessments were conducted on 13 November 2019 and the report issued on 22 November 2019.**
- (3) How many non-compliant fences were identified through this audit both within and outside the easement. **The earthing requirements for fencing are detailed in TransGrid Fencing Guidelines. These Guidelines detail the earthing requirements**

based on several criteria including the length of metal fencing, proximity to the transmission lines and transmission towers. On the residential fencing along the golf course easement, earthing of the fences is required at 3 sites. The golf course fence and gates require earthing at 8 sites.

- (4) How many residential properties have non-compliant fences. As stated above (3), earthing is based on the length of fencing not individual fences.
- (5) Who will pay for rectification work to residents' fences that require earthing. **The ACT Govt will pay the cost of earthing. (subject to agreement by DG)**
- (6) What will be involved in earthing residents' fences, what disruptions to residents and/or property will this cause and how will these disruptions be mitigated. Earthing of a residential fence would require an earthing electrode drilled to a depth of approximately 1650mm and bonded/attached to the metal fence with 16mm copper cable. There should not be any disruptions to residents. The earthing electrode will be just outside the residential boundary. Residents adjacent to any earthing works will be advised.
- (7) Why were residents not informed of earthing requirements before they constructed new fences on their properties. It was known by mid-2016 that the transmission lines and towers were to be constructed and operational by Dec 2020. At the time the land owner, Woodhaven, was aware that the transmission line and towers were to be constructed within the golf course easement. In Aug 2017, Woodhaven were informed by TransGrid of the location of the transmission towers. At this time the blocks were not released. It is not clear whether Woodhaven informed the builder of the 330kV transmission line and towers being proposed for construction in the easement. It is not clear whether the builder advised the eventual purchasers of the residences about the 330kV transmission line and towers. The Ginninderra Estate blocks were settled in July 2018. Within the ACT, Evoenergy sees earthing of metal fencing the responsibility of the fence owners. TransGrid has a similar position.

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**From:** Paynter, Patrick <[Patrick.Paynter@act.gov.au](mailto:Patrick.Paynter@act.gov.au)>

**Sent:** Monday, 17 February 2020 1:35 PM

**To:** Wijeratne, Asoka <[Asoka.Wijeratne@act.gov.au](mailto:Asoka.Wijeratne@act.gov.au)>

**Subject:** FW: FOR ACTION - New Question on Notice - QON 2915 - KICKERT - Transmission line towers - Due 27/02/20

UNCLASSIFIED

Asoka,

How are we going on this?

Thanks

Patrick

---

**From:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>

**Sent:** Monday, 17 February 2020 12:43 PM

**To:** Bennett, JamesP <[JamesP.Bennett@act.gov.au](mailto:JamesP.Bennett@act.gov.au)>; Southwell, Linda <[Linda.Southwell@act.gov.au](mailto:Linda.Southwell@act.gov.au)>; Paynter, Patrick <[Patrick.Paynter@act.gov.au](mailto:Patrick.Paynter@act.gov.au)>; Wijeratne, Asoka <[Asoka.Wijeratne@act.gov.au](mailto:Asoka.Wijeratne@act.gov.au)>

**Cc:** Riches, Dominic <[Dominic.Riches@act.gov.au](mailto:Dominic.Riches@act.gov.au)>

**Subject:** RE: FOR ACTION - New Question on Notice - QON 2915 - KICKERT - Transmission line towers - Due 27/02/20

UNCLASSIFIED

Hi all,

Please find below an interim response for discussion.

Kind Regards

Fred Arugay | Director | Customer Coordination

**Phone 02 6207 1797**

Access Canberra | **ACT Government**

GPO Box 158, Canberra City ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)

**Access Canberra.  
is moving**

To find all our Canberra  
Service Centres visit  
[act.gov.au/accessCBR](http://act.gov.au/accessCBR)

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**From:** Bennett, JamesP <[JamesP.Bennett@act.gov.au](mailto:JamesP.Bennett@act.gov.au)>

**Sent:** Friday, 14 February 2020 3:39 PM

**To:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>; Paynter, Patrick <[Patrick.Paynter@act.gov.au](mailto:Patrick.Paynter@act.gov.au)>; Wijeratne, Asoka <[Asoka.Wijeratne@act.gov.au](mailto:Asoka.Wijeratne@act.gov.au)>

**Cc:** Riches, Dominic <[Dominic.Riches@act.gov.au](mailto:Dominic.Riches@act.gov.au)>

**Subject:** FW: FOR ACTION - New Question on Notice - QON 2915 - KICKERT - Transmission line towers - Due 27/02/20

UNCLASSIFIED

Hi Fred/Patrick/Asoka

Could you please assist with input to this follow up QON?

I was thinking that (2)-(7) sit with Patrick/Asoka and (10)-(21) sit with Fred.

Dom and I will do (1), (8) and (9).

Could I please have your cleared input by **Tuesday 25 February** so I can put through our clearance process?

Thanks

James

---

**From:** EPSD Government Services <[EPSDGovernmentServices@act.gov.au](mailto:EPSDGovernmentServices@act.gov.au)>

**Sent:** Friday, 14 February 2020 12:37 PM

**To:** EPD Ministerials - Planning Delivery <[EPDMinisterials-PlanningDelivery@act.gov.au](mailto:EPDMinisterials-PlanningDelivery@act.gov.au)>

**Cc:** Phillips, Brett <[Brett.Phillips@act.gov.au](mailto:Brett.Phillips@act.gov.au)>; Bennett, JamesP <[JamesP.Bennett@act.gov.au](mailto:JamesP.Bennett@act.gov.au)>

**Subject:** FOR ACTION - New Question on Notice - QON 2915 - KICKERT - Transmission line towers - Due 27/02/20

UNCLASSIFIED

Good Afternoon

Questions on Notice Paper No. 41 has a new question from Mrs Kikkert which requires a response.

**2915 MRS KIKKERT:** To ask the Minister for Planning and Land Management

- (1) In relation to the answer to question on notice No 08 from the Standing Committee on Planning and Urban Renewal's inquiry into 2018-19 annual and financial reports, can the Minister provide a document that accurately shows the final location of the transmission line towers as agreed to by Woodhaven and the Belconnen Golf Club, as referenced in the answer to part (1)(b).
- (2) On what dates did TransGrid begin and complete the audit of fences that do not comply with earthing requirements, as referred to in the answer to part (2)(b).
- (3) How many non-compliant fences were identified through this audit both within and outside the easement.
- (4) How many residential properties have non-compliant fences.
- (5) Who will pay for rectification work to residents' fences that require earthing.
- (6) What will be involved in earthing residents' fences, what disruptions to residents and/or property will this cause and how will these disruptions be mitigated.
- (7) Why were residents not informed of earthing requirements before they constructed new fences on their properties.
- (8) Why were non-compliant fences within the easement approved.
- (9) Given that the answer to part (2) refers to "existing and future transmission lines" in the easement that bisects Ginninderra Estate, what future transmission lines will be built in this easement, and when will construction begin.
- (10) What are the specific information technology system limitations that required a number of blocks to be manually removed from the database, as noted in the answer to part (3)(a). **The public notification system currently used by Access Canberra to perform this service was developed in the 1990's and was not designed to incorporate DA's where the total area of the subject block(s) is over a large radius. The system is due for replacement upon completion of the eDevelopment Renovation Project. Access Canberra is also working closely with the Surveyor-General's office for an interim solution as part of the Spatial Data Management System replacement.**
- (11) On what date were these blocks manually removed from the database. **The public notification process took place 28 February – 1 March 2018 so it is assumed is when these blocks were removed.**
- (12) How frequently are blocks removed from the database. **Blocks are only removed for these type of DA's to assist the public notification process. DA's that have these intricacies are very uncommon.**
- (13) Have other blocks mistakenly not been re-entered into the database before; if so, how many, for how long and how was it determined which blocks would be manually removed from the database. **Unable to quantify, this is the first time this matter has been raised to the attention of Access Canberra.**
- (14) Who was responsible to enter the removed blocks back into the database. **The notification officer that performed the task.**
- (15) What are the updated operating procedures designed to avoid making this error in future. **The operating procedure has introduced a peer review process for any public notification where a block needs to be removed to ensure that the block is re-entered before completion of the process.**
- (16) Besides lease conveyancing reports, what other reports, information searches and/or information services may have been affected by the absence of these data. **– Actmap Development map.**
- (17) How did the missing data affect the public notification of this development application itself. **The Draft EIS and DAs were correctly notified concurrently between 5 March 2018 and 26 April 2018. Over 500 letters were sent to lessees of blocks adjacent to the proposed development and 12 notification signs were erected along the boundary of the development site.**

- (18) On what date was Access Canberra made aware of this error, as referenced in the answer to part (3)(a). **Access Canberra was made aware of the matter on 25 November 2019 and discovered the cause on 26 November 2019 after investigation.**
- (19) On what date was the information in the planning database updated to reflect all the subject blocks, as referenced in the answer (3)(a). **The planning database was updated on 26 November 2019.**
- (20) What specific steps has the ACT Government taken to notify leaseholders in Ginninderra Estate of the missing data and which leaseholders have been and/or will be notified. **We can't answer this**
- (21) How many lease conveyancing reports were issued that should have included the missing data but did not? **29**

Please find attached the folder reference for the QON with a template for you to use for the response. Please let us know asap if you require input from another directorate or if this QON is not for your area.

We are also now required to calculate the time spent for each officer involved completing the QON. Please use the spreadsheet located in the folder to record minutes and calculate costings. Government Services will add final costings to the QON response.

Could you please provide the completed response, cleared by your Executive Group Manager, to Government Services by **COB Thursday 27 February 2020.**

Many Thanks

Anastasia Hartwig

PH: 6207 0701 | Assembly Liaison Officer | Environment, Planning and Sustainable Development Directorate  
ACT Government | Level 3 South DPMB – 16 Challis Street Dickson (Please note I do not work Wednesdays)

**From:**"Wood, Maria" <Maria.Wood@act.gov.au>  
**Sent:**17/02/2020 1:39 AM  
**To:**"Arugay, Fred" <Fred.Arugay@act.gov.au>  
**Subject:**Lease conveyance [SEC=UNCLASSIFIED]

Good morning Fred

I have calculated that 29 lease conveyancing were carried out that did not identify DA201732500 as part of the process.

Regards

Maria Wood | Assistant Director | Environment, Planning & Land Shopfront  
Phone 02 6207 1632  
Customer Coordination | Access Canberra  
16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)



**From:** "Bennett, JamesP" <JamesP.Bennett@act.gov.au>

**Sent:** 14/02/2020 4:38 AM

**To:** "Arugay, Fred" <Fred.Arugay@act.gov.au>; "Paynter, Patrick" <Patrick.Paynter@act.gov.au>; "Wijeratne, Asoka" <Asoka.Wijeratne@act.gov.au>

**Cc:** "Riches, Dominic" <Dominic.Riches@act.gov.au>

**Subject:** FW: FOR ACTION - New Question on Notice - QON 2915 - KIKKERT - Transmission line towers - Due 27/02/20

**Attachments:** QON 2915 - KIKKERT - Transmission line towers - PD.obr, QON Answer 2915 - Gentleman.docx

UNCLASSIFIED

Hi Fred/Patrick/Asoka

Could you please assist with input to this follow up QON?

I was thinking that (2)-(7) sit with Patrick/Asoka and (10)-(21) sit with Fred.

Dom and I will do (1), (8) and (9).

Could I please have your cleared input by **Tuesday 25 February** so I can put through our clearance process?

Thanks

James

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**From:** EPSD Government Services <EPSDGovernmentServices@act.gov.au>

**Sent:** Friday, 14 February 2020 12:37 PM

**To:** EPD Ministerials - Planning Delivery <EPDMinisterials-PlanningDelivery@act.gov.au>

**Cc:** Phillips, Brett <Brett.Phillips@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>

**Subject:** FOR ACTION - New Question on Notice - QON 2915 - KIKKERT - Transmission line towers - Due 27/02/20

UNCLASSIFIED

Good Afternoon

Questions on Notice Paper No. 41 has a new question from Mrs Kikkert which requires a response.

**2915 MRS KIKKERT:** To ask the Minister for Planning and Land Management

- (1) In relation to the answer to question on notice No 08 from the Standing Committee on Planning and Urban Renewal's inquiry into 2018-19 annual and financial reports, can the Minister provide a document that accurately shows the final location of the transmission line towers as agreed to by Woodhaven and the Belconnen Golf Club, as referenced in the answer to part (1)(b).
- (2) On what dates did TransGrid begin and complete the audit of fences that do not comply with earthing requirements, as referred to in the answer to part (2)(b).
- (3) How many non-compliant fences were identified through this audit both within and outside the easement.
- (4) How many residential properties have non-compliant fences.
- (5) Who will pay for rectification work to residents' fences that require earthing.
- (6) What will be involved in earthing residents' fences, what disruptions to residents and/or property will this cause and how will these disruptions be mitigated.
- (7) Why were residents not informed of earthing requirements before they constructed new fences on their properties.
- (8) Why were non-compliant fences within the easement approved.

- (9) Given that the answer to part (2) refers to “existing and future transmission lines” in the easement that bisects Ginninderra Estate, what future transmission lines will be built in this easement, and when will construction begin.
- (10) What are the specific information technology system limitations that required a number of blocks to be manually removed from the database, as noted in the answer to part (3)(a).
- (11) On what date were these blocks manually removed from the database.
- (12) How frequently are blocks removed from the database.
- (13) Have other blocks mistakenly not been re-entered into the database before; if so, how many, for how long and how was it determined which blocks would be manually removed from the database.
- (14) Who was responsible to enter the removed blocks back into the database.
- (15) What are the updated operating procedures designed to avoid making this error in future.
- (16) Besides lease conveyancing reports, what other reports, information searches and/or information services may have been affected by the absence of these data.
- (17) How did the missing data affect the public notification of this development application itself.
- (18) On what date was Access Canberra made aware of this error, as referenced in the answer to part (3)(a).
- (19) On what date was the information in the planning database updated to reflect all the subject blocks, as referenced in the answer (3)(a).
- (20) What specific steps has the ACT Government taken to notify leaseholders in Ginninderra Estate of the missing data and which leaseholders have been and/or will be notified.
- (21) How many lease conveyancing reports were issued that should have included the missing data but did not?

Please find attached the folder reference for the QON with a template for you to use for the response. Please let us know asap if you require input from another directorate or if this QON is not for your area.

We are also now required to calculate the time spent for each officer involved completing the QON. Please use the spreadsheet located in the folder to record minutes and calculate costings. Government Services will add final costings to the QON response.

Could you please provide the completed response, cleared by your Executive Group Manager, to Government Services by [COB Thursday 27 February 2020](#).

Many Thanks

Anastasia Hartwig

PH: 6207 0701 | Assembly Liaison Officer | Environment, Planning and Sustainable Development Directorate  
ACT Government | Level 3 South DPMB – 16 Challis Street Dickson (Please note I do not work Wednesdays)

**ACT LEGISLATIVE ASSEMBLY QUESTION**

**Questions on Notice Paper No. 41**

**Question No. 2915**

**MS LE COUTEUR** - Asked the Minister for Planning and Land Management on 14 February 2020:

- (1) In relation to the answer to question on notice No 08 from the Standing Committee on Planning and Urban Renewal's inquiry into 2018-19 annual and financial reports, can the Minister provide a document that accurately shows the final location of the transmission line towers as agreed to by Woodhaven and the Belconnen Golf Club, as referenced in the answer to part (1)(b).
- (2) On what dates did TransGrid begin and complete the audit of fences that do not comply with earthing requirements, as referred to in the answer to part (2)(b).
- (3) How many non-compliant fences were identified through this audit both within and outside the easement.
- (4) How many residential properties have non-compliant fences.
- (5) Who will pay for rectification work to residents' fences that require earthing.
- (6) What will be involved in earthing residents' fences, what disruptions to residents and/or property will this cause and how will these disruptions be mitigated.
- (7) Why were residents not informed of earthing requirements before they constructed new fences on their properties.
- (8) Why were non-compliant fences within the easement approved.
- (9) Given that the answer to part (2) refers to "existing and future transmission lines" in the easement that bisects Ginninderra Estate, what future transmission lines will be built in this easement, and when will construction begin.
- (10) What are the specific information technology system limitations that required a number of blocks to be manually removed from the database, as noted in the answer to part (3)(a).
- (11) On what date were these blocks manually removed from the database.
- (12) How frequently are blocks removed from the database.

- (13) Have other blocks mistakenly not been re-entered into the database before; if so, how many, for how long and how was it determined which blocks would be manually removed from the database.
- (14) Who was responsible to enter the removed blocks back into the database.
- (15) What are the updated operating procedures designed to avoid making this error in future.
- (16) Besides lease conveyancing reports, what other reports, information searches and/or information services may have been affected by the absence of these data.
- (17) How did the missing data affect the public notification of this development application itself.
- (18) On what date was Access Canberra made aware of this error, as referenced in the answer to part (3)(a).
- (19) On what date was the information in the planning database updated to reflect all the subject blocks, as referenced in the answer (3)(a).
- (20) What specific steps has the ACT Government taken to notify leaseholders in Ginninderra Estate of the missing data and which leaseholders have been and/or will be notified.
- (21) How many lease conveyancing reports were issued that should have included the missing data but did not?

**MINISTER GENTLEMAN:** The answer to the Member's question is as follows:

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)
- (7)
- (8)
- (9)
- (10)
- (11)
- (12)
- (13)
- (14)

**Approved for circulation to the Member and incorporation into Hansard.**

Mr Mick Gentleman MLA, Minister for Planning and Land Management    Date:.....

This response required XXhrs XXmins to complete, at an approximate cost of \$XXX.

**From:** "Gioffre, Tina" <Tina.Gioffre@act.gov.au> on behalf of "Access Canberra Government Business & Coordination" <AccessCanberraGBC@act.gov.au>

**Sent:** 05/02/2020 4:25 AM

**To:** "Bennett, JamesP" <JamesP.Bennett@act.gov.au>; "McRae, Poppy" <Poppy.McRae@act.gov.au>

**Cc:** "Arugay, Fred" <Fred.Arugay@act.gov.au>; "Southwell, Linda" <Linda.Southwell@act.gov.au>; "Access Canberra Government Business & Coordination" <AccessCanberraGBC@act.gov.au>

**Subject:** Cleared Input: QON 08 (AR Hearings) - Construction of transmission towers for the ACT Second Electricity Supply Project between Ginninderra Estate and the Belconnen Magpies Golf Club, Holt

**Attachments:** QON PUC 08 - Construction of transmission towers for the ACT Second Electricity Supply Project between Ginninderra Estate and the Belconnen Magpies Golf Club, Holt.doc

UNCLASSIFIED

Hi James and Poppy

I understand that you are awaiting clearance from Access Canberra in relation to the amended input for Question 3a. of QON 08 from Annual Report Hearings.

I can confirm that the input within the attached document has now been cleared by Access Canberra EGM (David Snowden), DDG (David Pryce) and Minister Ramsay's Office.

Please let us know if you require any further assistance.

Kind Regards

Tina

Tina Gioffre | Assistant Director, Government Business and Coordination

Phone: 02 6205 7326 | Email: [Tina.Gioffre@act.gov.au](mailto:Tina.Gioffre@act.gov.au)

Projects, Governance & Support | Access Canberra | ACT Government

Cosmopolitan Building, 21 Bowes Street, Woden | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)



**From:**"Arugay, Fred"

**Sent:**03/02/2020 2:39 AM

**To:**"Access Canberra Government Business & Coordination" <AccessCanberraGBC@act.gov.au>

**Cc:**"Bailey, Kim.P" <Kim.P.Bailey@act.gov.au>;"AccessCanberraCMT" <AccessCanberraCMT@act.gov.au>;"Bradford, James" <James.Bradford@act.gov.au>

**Subject:**RE: QON - First go at 3a.

**Attachments:**QON 08 - KIKKERT - construction of transmission towers for the ACT Second Electricity Supply Project...Holt - PD - to DDG 2\_12.obr

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Thanks Tina,

This is a bit different insomuch the question was directed at Min. Gentleman. EPSDD referred to Access Canberra as we administer this process but the final answer will be made by Min. Gentleman.

I have attached the reference.

Poppy McRae/James Bennett are the EPSDD contacts in coordinating this response.

Kind Regards

Fred Arugay | Director | Customer Coordination

**Phone 02 6207 1797**

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**From:** Gioffre, Tina <Tina.Gioffre@act.gov.au> **On Behalf Of** Access Canberra Government Business & Coordination

**Sent:** Monday, 3 February 2020 12:25 PM

**To:** Arugay, Fred <Fred.Arugay@act.gov.au>

**Cc:** Bailey, Kim.P <Kim.P.Bailey@act.gov.au>; AccessCanberraCMT <AccessCanberraCMT@act.gov.au>; Bradford, James <James.Bradford@act.gov.au>; Access Canberra Government Business & Coordination <AccessCanberraGBC@act.gov.au>

**Subject:** RE: QON - First go at 3a.

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Hi Fred

I can't seem to locate any record of this QON, do you have a QON number that you can provide to me and a timeframe that EPSDD would like a response? Input to QONs should be coordinated through the DLOs, I will ensure this happens once you provide me with the information requested.

Thank you

Tina

Tina Gioffre | Assistant Director, Government Business and Coordination  
Phone: 02 6205 7326 | Email: [Tina.Gioffre@act.gov.au](mailto:Tina.Gioffre@act.gov.au)  
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Cosmopolitan Building, 21 Bowes Street, Woden | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)



---

**From:** Bailey, Kim.P <[Kim.P.Bailey@act.gov.au](mailto:Kim.P.Bailey@act.gov.au)>  
**Sent:** Monday, 3 February 2020 12:01 PM  
**To:** Access Canberra Government Business & Coordination <[AccessCanberraGBC@act.gov.au](mailto:AccessCanberraGBC@act.gov.au)>  
**Subject:** FW: QON - First go at 3a.

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I think Fred meant to send this to you guys?

Kind Regards

Kim Bailey  
A/g Executive Officer  
0405 325 005

---

**From:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>  
**Sent:** Monday, 3 February 2020 11:32 AM  
**To:** AccessCanberraCMT <[AccessCanberraCMT@act.gov.au](mailto:AccessCanberraCMT@act.gov.au)>  
**Cc:** Bradford, James <[James.Bradford@act.gov.au](mailto:James.Bradford@act.gov.au)>; Bailey, Kim.P <[Kim.P.Bailey@act.gov.au](mailto:Kim.P.Bailey@act.gov.au)>  
**Subject:** FW: QON - First go at 3a.

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Good Morning,

Please see below for actioning— this has been cleared by Linda and Josh previously.

EPSDD would like this cleared by David Pryce as well. He is aware of the matter but I am not sure if he has seen the response for final clearance.

Kind Regards

Fred Arugay | Director | Customer Coordination  
**Phone 02 6207 1797**  
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GPO Box 158, Canberra City ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)



---

**From:** Southwell, Linda <[Linda.Southwell@act.gov.au](mailto:Linda.Southwell@act.gov.au)>  
**Sent:** Monday, 3 February 2020 11:12 AM  
**To:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>  
**Cc:** Rynehart, Josh <[Josh.Rynehart@act.gov.au](mailto:Josh.Rynehart@act.gov.au)>  
**Subject:** Re: QON - First go at 3a.

An you get EPSDD to send it through the complaints management team - ACMinisterial  
They will manage that process  
Cheers

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---

**From:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>  
**Sent:** Monday, February 3, 2020 11:09:59 AM  
**To:** Southwell, Linda <[Linda.Southwell@act.gov.au](mailto:Linda.Southwell@act.gov.au)>  
**Cc:** Rynehart, Josh <[Josh.Rynehart@act.gov.au](mailto:Josh.Rynehart@act.gov.au)>  
**Subject:** FW: QON - First go at 3a.

UNCLASSIFIED For-Official-Use-Only

Hi Linda,

EPSDD would like 3a cleared by Min. Ramsay before going for final review by Min Gentleman.

Kind Regards

Fred Arugay | Director | Customer Coordination  
**Phone 02 6207 1797**  
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# Schedule 1 1.2

**From:** "Bennett, JamesP" <JamesP.Bennett@act.gov.au>

**Sent:** 05/02/2020 5:54 AM

**To:** "Access Canberra Government Business & Coordination" <AccessCanberraGBC@act.gov.au>

**Cc:** "Arugay, Fred" <Fred.Arugay@act.gov.au>; "Southwell, Linda" <Linda.Southwell@act.gov.au>; "McRae, Poppy" <Poppy.McRae@act.gov.au>

**Subject:** RE: Cleared Input: QON 08 (AR Hearings) - Construction of transmission towers for the ACT Second Electricity Supply Project between Ginninderra Estate and the Belconnen Magpies Golf Club, Holt

UNCLASSIFIED

Hi Tina

Thanks for your email and providing clearance.

I will send up through our process now.

Thanks too to Fred.

Thanks  
James

---

**From:** Gioffre, Tina <Tina.Gioffre@act.gov.au> **On Behalf Of** Access Canberra Government Business & Coordination

**Sent:** Wednesday, 5 February 2020 3:25 PM

**To:** Bennett, JamesP <JamesP.Bennett@act.gov.au>; McRae, Poppy <Poppy.McRae@act.gov.au>

**Cc:** Arugay, Fred <Fred.Arugay@act.gov.au>; Southwell, Linda <Linda.Southwell@act.gov.au>; Access Canberra Government Business & Coordination <AccessCanberraGBC@act.gov.au>

**Subject:** Cleared Input: QON 08 (AR Hearings) - Construction of transmission towers for the ACT Second Electricity Supply Project between Ginninderra Estate and the Belconnen Magpies Golf Club, Holt

UNCLASSIFIED

Hi James and Poppy

I understand that you are awaiting clearance from Access Canberra in relation to the amended input for Question 3a. of QON 08 from Annual Report Hearings.

I can confirm that the input within the attached document has now been cleared by Access Canberra EGM (David Snowden), DDG (David Pryce) and Minister Ramsay's Office.

Please let us know if you require any further assistance.

Kind Regards  
Tina

Tina Gioffre | Assistant Director, Government Business and Coordination

Phone: 02 6205 7326 | Email: [Tina.Gioffre@act.gov.au](mailto:Tina.Gioffre@act.gov.au)

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**From:** "Southwell, Linda" <Linda.Southwell@act.gov.au>  
**Sent:** 03/02/2020 12:12 AM  
**To:** "Arugay, Fred" <Fred.Arugay@act.gov.au>  
**Cc:** "Rynehart, Josh" <Josh.Rynehart@act.gov.au>  
**Subject:** Re: QON - First go at 3a.

Can you get EPSDD to send it through the complaints management team - AC Ministerial  
They will manage that process  
Cheers

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**From:** Arugay, Fred <Fred.Arugay@act.gov.au>  
**Sent:** Monday, February 3, 2020 11:09:59 AM  
**To:** Southwell, Linda <Linda.Southwell@act.gov.au>  
**Cc:** Rynehart, Josh <Josh.Rynehart@act.gov.au>  
**Subject:** FW: QON - First go at 3a.

UNCLASSIFIED For-Official-Use-Only

Hi Linda,

EPSDD would like 3a cleared by Min. Ramsay before going for final review by Min Gentleman.

Kind Regards

Fred Arugay | Director | Customer Coordination

Phone 02 6207 1797

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# Schedule 1 1.2

**From:** "Southwell, Linda" <Linda.Southwell@act.gov.au>  
**Sent:** 28/01/2020 5:09 AM  
**To:** "Arugay, Fred" <Fred.Arugay@act.gov.au>  
**Subject:** RE: QON - First go at 3a.

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No worries – looks ok to me

---

**From:** Arugay, Fred <Fred.Arugay@act.gov.au>  
**Sent:** Tuesday, 28 January 2020 3:48 PM  
**To:** Southwell, Linda <Linda.Southwell@act.gov.au>  
**Subject:** FW: QON - First go at 3a.

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Hi Linda,

Apologies for the back and forth but after some additional correspondence between us, GSO have updated the proposed answer.

Fred

# Schedule 1 1.2

**From:** "Arugay, Fred"  
**Sent:** 22/01/2020 11:41 PM  
**To:** "Rynehart, Josh" <Josh.Rynehart@act.gov.au>; "Southwell, Linda" <Linda.Southwell@act.gov.au>  
**Subject:** RE: First go at 3a.

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Thanks Linda,

GSO has reviewed the wording. The wording below is now the 'final'. I would assume EPSDD would like this cleared by David?

Fred

Development application(DA) 201732500 was lodged on the 22 February 2018 over 11 large blocks. Due to IT system limitations, a number of blocks had to be manually removed from the database in order for the public notification package for that DA to be produced. Upon completion of the public notification process the blocks that were removed from the database should have been entered back into the system. Due to an administrative oversight this did not occur.

At the time the lease conveyancing report was produced for block 18 section 128 Holt, DA201732500 on block 2 section 132 Holt was not referenced as a result of that administrative error. Once the Authority was made aware of the error, the information in the planning database was updated to reflect all the subject blocks on which the development application was lodged and standard operating procedures were reviewed and updated to ensure this error does not occur again in the future.

---

**From:** Rynehart, Josh <Josh.Rynehart@act.gov.au>  
**Sent:** Wednesday, 22 January 2020 1:38 PM  
**To:** Southwell, Linda <Linda.Southwell@act.gov.au>; Arugay, Fred <Fred.Arugay@act.gov.au>  
**Subject:** RE: First go at 3a.

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Ok with me

---

**From:** Southwell, Linda <[Linda.Southwell@act.gov.au](mailto:Linda.Southwell@act.gov.au)>  
**Sent:** Wednesday, 22 January 2020 12:32 PM  
**To:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>  
**Cc:** Rynehart, Josh <[Josh.Rynehart@act.gov.au](mailto:Josh.Rynehart@act.gov.au)>  
**Subject:** RE: First go at 3a.

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Thanks Fred

Josh - I have tried to further simplify the response – thoughts?

- Development application(DA) 201732500 was lodged on the 22 February 2018 over 11 large blocks.
- Due to IT system limitations, a number of blocks had to be manually removed from the database in order for the public notification package to be produced.
- Upon completion of the public notification process the blocks that were removed from the database should have been entered back into the system. Due to an administrative oversight this did not occur.

- At the time the lease conveyancing report was produced for block 18 section 128 Holt, DA200732500 on block 2 section 132 Holt was not referenced as a result of the administrative error.
- Once the Authority was made aware of the error, the information in the planning database was updated to reflect all the subject blocks on which the development application was lodged and standard operating procedures were reviewed and updated to ensure this error does not occur again in the future.

---

**From:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>  
**Sent:** Wednesday, 22 January 2020 10:42 AM  
**To:** Southwell, Linda <[Linda.Southwell@act.gov.au](mailto:Linda.Southwell@act.gov.au)>  
**Cc:** Rynehart, Josh <[Josh.Rynehart@act.gov.au](mailto:Josh.Rynehart@act.gov.au)>  
**Subject:** First go at 3a.

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Hi Linda,

This is the first go at answering the question. It might be a bit too descriptive but is really a first pass.

So the agreement with GSO is that they will review this answer and suggest changes and then I will refer back to you for clearance.

- a. Why was the DA for the ACT Second Electricity Supply Project not listed on this report when the ACT Government was aware of this project since at least 2014 and the DA had already been filed?

Development application 201732500 was lodged on the 22 February 2018 over 11 blocks. To assist with administering the public notification of the development application process a number of these blocks referencing the development application required the staff member to add and remove these blocks in the database to ensure all adjacent sites were notified correctly. This is due to system limitations being unable to find all the adjacent blocks to the development due to the combined area of the 11 blocks. An administrative error was made to the extent that not all 11 blocks were data entered back into the system at the completion of the notification process. At the time of the lease conveyancing report was performed for block 18 section 128 Holt, the subject site of block 2 section 132 Holt was not referenced for development application 200732500 as an adjacent site in the lease conveyancing report. Once the Authority was made aware of the error, the information in the planning database has now been correctly updated to reflect all the subject blocks on which the development application was lodged and standard operating procedures have been reviewed and updated.

Kind Regards

Fred Arugay | Director | Customer Coordination

**Phone 02 6207 1797**

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**From:** "Southwell, Linda" <Linda.Southwell@act.gov.au>  
**Sent:** 22/01/2020 2:39 AM  
**To:** "Arugay, Fred" <Fred.Arugay@act.gov.au>  
**Subject:** RE: First go at 3a.

UNCLASSIFIED For-Official-Use-Only

Hi Fred

I have removed the dotpoints – can you forward on.

Cheers  
Linda

Development application(DA) 201732500 was lodged on the 22 February 2018 over 11 large blocks. Due to IT system limitations, a number of blocks had to be manually removed from the database in order for the public notification package to be produced. Upon completion of the public notification process the blocks that were removed from the database should have been entered back into the system. Due to an administrative oversight this did not occur.

At the time the lease conveyancing report was produced for block 18 section 128 Holt, DA200732500 on block 2 section 132 Holt was not referenced as a result of the administrative error. Once the Authority was made aware of the error, the information in the planning database was updated to reflect all the subject blocks on which the development application was lodged and standard operating procedures were reviewed and updated to ensure this error does not occur again in the future.

---

**From:** Rynehart, Josh <Josh.Rynehart@act.gov.au>  
**Sent:** Wednesday, 22 January 2020 1:38 PM  
**To:** Southwell, Linda <Linda.Southwell@act.gov.au>; Arugay, Fred <Fred.Arugay@act.gov.au>  
**Subject:** RE: First go at 3a.

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Ok with me

---

**From:** Southwell, Linda <Linda.Southwell@act.gov.au>  
**Sent:** Wednesday, 22 January 2020 12:32 PM  
**To:** Arugay, Fred <Fred.Arugay@act.gov.au>  
**Cc:** Rynehart, Josh <Josh.Rynehart@act.gov.au>  
**Subject:** RE: First go at 3a.

UNCLASSIFIED For-Official-Use-Only

Thanks Fred

Josh - I have tried to further simplify the response – thoughts?

- Development application(DA) 201732500 was lodged on the 22 February 2018 over 11 large blocks.
- Due to IT system limitations, a number of blocks had to be manually removed from the database in order for the public notification package to be produced.

- Upon completion of the public notification process the blocks that were removed from the database should have been entered back into the system. Due to an administrative oversight this did not occur.
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- Once the Authority was made aware of the error, the information in the planning database was updated to reflect all the subject blocks on which the development application was lodged and standard operating procedures were reviewed and updated to ensure this error does not occur again in the future.

---

**From:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>  
**Sent:** Wednesday, 22 January 2020 10:42 AM  
**To:** Southwell, Linda <[Linda.Southwell@act.gov.au](mailto:Linda.Southwell@act.gov.au)>  
**Cc:** Rynehart, Josh <[Josh.Rynehart@act.gov.au](mailto:Josh.Rynehart@act.gov.au)>  
**Subject:** First go at 3a.

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Hi Linda,

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So the agreement with GSO is that they will review this answer and suggest changes and then I will refer back to you for clearance.

- a. Why was the DA for the ACT Second Electricity Supply Project not listed on this report when the ACT Government was aware of this project since at least 2014 and the DA had already been filed?

Development application 201732500 was lodged on the 22 February 2018 over 11 blocks. To assist with administering the public notification of the development application process a number of these blocks referencing the development application required the staff member to add and remove these blocks in the database to ensure all adjacent sites were notified correctly. This is due to system limitations being unable to find all the adjacent blocks to the development due to the combined area of the 11 blocks. An administrative error was made to the extent that not all 11 blocks were data entered back into the system at the completion of the notification process. At the time of the lease conveyancing report was performed for block 18 section 128 Holt, the subject site of block 2 section 132 Holt was not referenced for development application 200732500 as an adjacent site in the lease conveyancing report. Once the Authority was made aware of the error, the information in the planning database has now been correctly updated to reflect all the subject blocks on which the development application was lodged and standard operating procedures have been reviewed and updated.

Kind Regards

Fred Arugay | Director | Customer Coordination

**Phone 02 6207 1797**

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[act.gov.au/accessCBR](http://act.gov.au/accessCBR)

**From:**"Bennett, JamesP" <JamesP.Bennett@act.gov.au>

**Sent:**03/12/2019 10:25 AM

**To:**"Arugay, Fred" <Fred.Arugay@act.gov.au>;"Southwell, Linda" <Linda.Southwell@act.gov.au>

**Cc:**"Riches, Dominic" <Dominic.Riches@act.gov.au>;"McRae, Poppy" <Poppy.McRae@act.gov.au>;"Liston, Tegan" <Tegan.Liston@act.gov.au>;"Phillips, Brett" <Brett.Phillips@act.gov.au>

**Subject:**FW: Urgent input: QON: 08 PUC committee - for EPSD

**Attachments:**QON PUC 08 - Construction of transmission towers for the ACT Second Electricity Supply Project between Ginninderra Estate and the Belconnen Magpies Golf Club, Holt.docx, QON 08 - KICKERT - construction of transmission towers for the ACT Second Electricity Supply Project...Holt - PD - to DDG 2\_12.obr

**Importance:**High

UNCLASSIFIED Sensitive

Hi Fred and Linda

Can I please check a couple of details with you about the answer to 3(a) before we move this on to our Minister's office. I understand that you prepared/cleared this input?

The answer provided says that the Civil Law (Sale of Residential Property) Regulation 2004 does not require DA information to be provided as part of the lease conveyancing report.

In reading the Regulation, I see that section 9 has a definition of *lease conveyancing inquiry documents* to be prepared by the planning and land authority and this includes at (c) 'a statement about any application for development approval under the *Planning and Development Act 2007* affecting the property'.

I also think that the lease conveyancing report itself makes a statement about providing DA information.

Could you please check this and confirm the input that's been provided?

Thanks for your help,

James

James Bennett | Senior Director, Planning Operations

Phone 02 6205 4877 | Planning Delivery Division

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | [www.planning.act.gov.au](http://www.planning.act.gov.au)

---

**From:** McRae, Poppy <[Poppy.McRae@act.gov.au](mailto:Poppy.McRae@act.gov.au)>

**Sent:** Monday, 2 December 2019 5:13 PM

**To:** Liston, Tegan <[Tegan.Liston@act.gov.au](mailto:Tegan.Liston@act.gov.au)>

**Cc:** Riches, Dominic <[Dominic.Riches@act.gov.au](mailto:Dominic.Riches@act.gov.au)>

**Subject:** FW: Urgent input: QON: 08 PUC committee - for EPSD

**Importance:** High

UNCLASSIFIED Sensitive

Hi Tegan,

Access Canberra have prepared inputs for 3a and 3b for response the Second Electricity QON.

The MO have cleared 3a but have said that 3b is one for planning. However Access Canberra have drafted a response to 3b (see inputs attached).

Two questions

- Should EPSDD be answering 3B?
- Could you review 3B and see if there are changes required to Access Canberra's response.

Happy to discuss tomorrow morning so we can progress this for clearance.

Thanks,

Poppy

Poppy McRae | Executive Officer to Geoffrey Rutledge, Deputy Director-General, Sustainability and the Built Environment  
Environment, Planning and Sustainable Development Directorate | ACT Government  
Phone (02) 620 70730 | Email: [Poppy.McRae@act.gov.au](mailto:Poppy.McRae@act.gov.au)  
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602

---

**From:** EPSD Government Services <[EPSDGovernmentServices@act.gov.au](mailto:EPSDGovernmentServices@act.gov.au)>

**Sent:** Monday, 2 December 2019 4:00 PM

**To:** McRae, Poppy <[Poppy.McRae@act.gov.au](mailto:Poppy.McRae@act.gov.au)>

**Cc:** EPSDD Ministerials and Corro Executive Office <[EPSDDMinisterialsandCorroExecutiveOffice@act.gov.au](mailto:EPSDDMinisterialsandCorroExecutiveOffice@act.gov.au)>; EPSD Government Services <[EPSDGovernmentServices@act.gov.au](mailto:EPSDGovernmentServices@act.gov.au)>

**Subject:** FW: Urgent input: QON: 08 PUC committee - for EPSD

**Importance:** High

UNCLASSIFIED Sensitive

Hi Poppy

AC input to QON 08 attached – grateful if you can review and add into our QON answer to get onto DDG for clearance asap pls.

Thanks

[Lisa x71667](#)

---

**From:** EPSDD DLO <[EPSDDDLO@act.gov.au](mailto:EPSDDDLO@act.gov.au)>

**Sent:** Monday, 2 December 2019 3:50 PM

**To:** EPSD Government Services <[EPSDGovernmentServices@act.gov.au](mailto:EPSDGovernmentServices@act.gov.au)>

**Subject:** FW: Urgent input: QON: 08 PUC committee - for EPSD

**Importance:** High

UNCLASSIFIED Sensitive

Hi Tash

Please see attached input from AC, but please also note what the Ramsay advisers said in response to 3b (below).

Thanks

Erica

---

**From:** Hodshon, Gerard <[Gerard.Hodshon@act.gov.au](mailto:Gerard.Hodshon@act.gov.au)> **On Behalf Of** ACDLO

**Sent:** Monday, 2 December 2019 12:40 PM

**To:** EPSDD DLO <[EPSDDDLO@act.gov.au](mailto:EPSDDDLO@act.gov.au)>

**Cc:** Access Canberra Government Business & Coordination <[AccessCanberraGBC@act.gov.au](mailto:AccessCanberraGBC@act.gov.au)>

**Subject:** Urgent input: QON: 08 PUC committee - for EPSD

UNCLASSIFIED Sensitive

Hi Erica

Note Michaels comments below.

Ping me if you need further AC assistance.

Ta  
Gez

---

**From:** White, Michael <[Michael.White@act.gov.au](mailto:Michael.White@act.gov.au)>  
**Sent:** Monday, 2 December 2019 12:15 PM  
**To:** ACDLO <[ACDLO@act.gov.au](mailto:ACDLO@act.gov.au)>  
**Subject:** Re: Urgent input: QON: 08 PUC committee - for EPSD

Hey Gez

3b looks like it's planning, not AC

3a is approved.

**Michael White**

**Adviser**

Office of Gordon Ramsay MLA | Member for Ginninderra  
Attorney-General  
Minister for the Arts, Creative Industries and Cultural Events  
Minister for Building Quality Improvement  
Minister for Business and Regulatory Services  
Minister for Seniors and Veterans  
Phone: [6205 7101](tel:62057101) | Email: [michael.white@act.gov.au](mailto:michael.white@act.gov.au)

On 2 Dec 2019, at 11:31 am, ACDLO <[ACDLO@act.gov.au](mailto:ACDLO@act.gov.au)> wrote:

UNCLASSIFIED For-Official-Use-Only

MW

Can I get the highlighted text in the attachment cleared pls.

Many thanks  
Gez

---

**From:** Hodshon, Gerard <[Gerard.Hodshon@act.gov.au](mailto:Gerard.Hodshon@act.gov.au)> **On Behalf Of** ACDLO  
**Sent:** Thursday, 28 November 2019 11:39 AM  
**To:** Access Canberra Government Business & Coordination  
<[AccessCanberraGBC@act.gov.au](mailto:AccessCanberraGBC@act.gov.au)>  
**Subject:** Urgent input: QON: 08 PUC committee - for EPSD  
**Importance:** High

UNCLASSIFIED For-Official-Use-Only

Good Morning

May I seek an urgent response to point number three in the attached word doc.

As soon as it takes pls.

Thanks  
Gez

---

**From:** EPSDD DLO <[EPSDDLO@act.gov.au](mailto:EPSDDLO@act.gov.au)>  
**Sent:** Thursday, 28 November 2019 11:31 AM  
**To:** ACDLO <[ACDLO@act.gov.au](mailto:ACDLO@act.gov.au)>  
**Subject:** Urgent input: QON: Annual Reports  
**Importance:** High

UNCLASSIFIED For-Official-Use-Only

Hi Gez  
Could we please get urgent input to this QON for dot point 3 – due asap.  
Thanks  
Erica

**Erica Hurrell | Directorate Liaison Officer | ACT Legislative Assembly**  
Minister Mick Gentleman | Planning and Land Management | Environment and Heritage  
Minister Gordon Ramsay | Building Quality Improvement  
Minister Suzanne Orr | Employment and Workplace Safety  
**Environment, Planning and Sustainable Development Directorate | ACT Government**  
GPO Box 1908, Canberra, ACT 2601  
Phone: 6205 4521 | Email: [epsddlo@act.gov.au](mailto:epsddlo@act.gov.au)

<.QON PUC 08 - Construction of transmission towers for the ACT Second Electricity Supply Project between Ginninderra Estate and the Belconnen Magpies Golf Club, Holt.docx>

**From:**"Arugay, Fred"

**Sent:**26/11/2019 5:27 AM

**To:**"Riches, Dominic" <Dominic.Riches@act.gov.au>

**Cc:**"Wood, Maria" <Maria.Wood@act.gov.au>

**Subject:**FW: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11  
[SEC=UNCLASSIFIED]

**Attachments:**02. QONs.obr, LCE-HOLT-S128-B0018.obr, RE: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11 [SEC=UNCLASSIFIED]

Hi Dom,

FYI

Kind Regards

Fred Arugay | Director | Customer Coordination

**Phone 02 6207 1797**

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---

**From:** Arugay, Fred

**Sent:** Tuesday, 26 November 2019 4:27 PM

**To:** Rynehart, Josh <Josh.Rynehart@act.gov.au>; Southwell, Linda <Linda.Southwell@act.gov.au>

**Cc:** Wood, Maria <Maria.Wood@act.gov.au>

**Subject:** FW: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11  
[SEC=UNCLASSIFIED]

Hi Josh and Linda,

Please see below a QON for Min Gentlemen. The question relates to Lease Conveyancing:

- a. **Why was the DA for the ACT Second Electricity Supply Project not listed on this report when the ACT Government was aware of this project since at least 2014 and the DA had already been filed?**

As Lease Conveyancing does fall under EPSDD they will formally respond but have asked us to provide a response as Access Canberra administer the Lease Conveyancing service.

Maria has done some research (attached).

It should be noted that the part of the Lease Conveyancing enquiry that advises on adjacent DA's is not legislated under the *Civil Law (Sale of Residential Property) Act 2003* and is just an extra bit of information that goes on the report.

Here is some suggested text on a response. Can you please review and clear? (I have put 2 options). There could be potential legal action.

Option 1

*The development application was lodged on the 22 February 2018 over 11 blocks. To assist with administering the public notification of the development application process a number of these blocks referencing the development application were taken off the database and due to administrative oversight were not added back to the database once that process was completed. I am advised the database has now been rectified.*

Option 2

*The development application was lodged on the 22 February 2018 over 11 blocks. Due to administrative oversight not all blocks were correctly entered into the planning database as part of the development application process. I am advised the database has now been rectified.*

Kind Regards

Fred Arugay | Director | Customer Coordination

**Phone 02 6207 1797**

**Access Canberra | ACT Government**

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---

**From:** Wood, Maria

**Sent:** Tuesday, 26 November 2019 11:14 AM

**To:** Arugay, Fred <[Fred.Arugay@act.gov.au](mailto:Fred.Arugay@act.gov.au)>

**Subject:** FW: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11  
[SEC=UNCLASSIFIED]

Hi Fred

I received this yesterday from Dominic. He wants me to respond by COB today. I haven't investigated this fully as yet. Will come and see you soon.

Maria

---

**From:** Riches, Dominic

**Sent:** Monday, 25 November 2019 2:46 PM

**To:** Wood, Maria <[Maria.Wood@act.gov.au](mailto:Maria.Wood@act.gov.au)>

**Subject:** FW: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11

UNCLASSIFIED

Hi Maria

For your information, example Lease conveyancing report attached.

Dom

---

**From:** Riches, Dominic

**Sent:** Monday, 25 November 2019 11:37 AM

**To:** Wood, Maria <[Maria.Wood@act.gov.au](mailto:Maria.Wood@act.gov.au)>

**Cc:** Borrett, Samantha <[Samantha.Borrett@act.gov.au](mailto:Samantha.Borrett@act.gov.au)>; Liston, Tegan <[Tegan.Liston@act.gov.au](mailto:Tegan.Liston@act.gov.au)>; Bennett, JamesP <[JamesP.Bennett@act.gov.au](mailto:JamesP.Bennett@act.gov.au)>

**Subject:** FW: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11

UNCLASSIFIED

Hi Maria

We have received the above QON that relates to the ACT second electricity supply project which was approved under DA201732500.

**From:** "Wood, Maria" <Maria.Wood@act.gov.au>

**Sent:** 26/11/2019 3:02 AM

**To:** "Arugay, Fred" <Fred.Arugay@act.gov.au>

**Subject:** RE: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11  
[SEC=UNCLASSIFIED]

Hi Fred

DA201732500 (over multiple blocks)

Background (manual process): Notification of this DA required manipulation in DARTS in order to notify the large area covered by the Development Application. This is done by removing some of the subject sites then running PubLoad (notification program). This is repeated until all areas are notified. Once notification is completed all subject sites are then added back into DARTS.

From my assessment it appears that all the subject sites were not added back into DARTS leaving the only subject site listed as 1560/0 Belconnen.

Lease Conveyance (automatic process):

In this instance the Lease conveyance report did not include all of the sites covered by DA201732500. The only site listed on DARTS was 1560/0 Belconnen, as this site was not adjacent to 18/128 Holt the report did not include it.

NB: I have updated DARTS to include all subject sites.

1560/0 Belconnen  
1462/0 Belconnen  
1559/0 Belconnen  
1600/0 Belconnen  
1582/0 Belconnen  
1606/0 Belconnen  
1633/0 Belconnen  
1601/0 Belconnen  
1469/0 Belconnen  
3/118 Holt  
2/132 Holt

Regards

Maria Wood | Manager | Environment, Planning & Land Shopfront  
Phone 02 6207 1632

Customer Coordination | Access Canberra

16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)



---

**From:** Riches, Dominic

**Sent:** Monday, 25 November 2019 2:46 PM

**To:** Wood, Maria <Maria.Wood@act.gov.au>

**Subject:** FW: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11

UNCLASSIFIED

Hi Maria

For your information, example Lease conveyancing report attached.

Dom

---

**From:** Riches, Dominic

**Sent:** Monday, 25 November 2019 11:37 AM

**To:** Wood, Maria <[Maria.Wood@act.gov.au](mailto:Maria.Wood@act.gov.au)>

**Cc:** Borrett, Samantha <[Samantha.Borrett@act.gov.au](mailto:Samantha.Borrett@act.gov.au)>; Liston, Tegan <[Tegan.Liston@act.gov.au](mailto:Tegan.Liston@act.gov.au)>; Bennett, JamesP <[JamesP.Bennett@act.gov.au](mailto:JamesP.Bennett@act.gov.au)>

**Subject:** FW: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11

UNCLASSIFIED

Hi Maria

We have received the above QON that relates to the ACT second electricity supply project which was approved under DA201732500.

The QON refers to a Lease conveyancing enquiry report, dated 7 August 2018, that was prepared for an adjacent block. The QON raised questions on why DA201732500 was not identified in the report.

I have looked in the TL file under Section 128 Holt and all the reports do not identify this DA number (including Block 18 Section 128 Holt, dated 7 August 2018). I have also had a look on ACMAPi and the DA does not seem to be showing up in the development layer for Block 2 Section 132 Holt.

Can you please provide dot points addressing 3.a of the QON:

1. *I have in my possession the paperwork for the lease of one of the blocks in Ginninderra Estate that has been impacted by the construction of a transmission tower. It includes a Planning and Lease Manager (PaLM) Lease Conveyancing Enquiry Reported dated 7 August 2018. Regarding 'development applications on the adjacent properties' for the past two years, this ACT Government report is silent about the proposed development of the 330,000 kV transmission line and its attendant towers directly behind this property.*
  - a. *Why was the DA for the ACT Second Electricity Supply Project not listed on this report when the ACT Government was aware of this project since at least 2014 and the DA had already been filed?*

Please let me know if you would like to discuss.

Regards

---

**Dominic Riches** | Impact Assessment  
Phone 02 6205 1834  
Planning Delivery

---

**From:** Riches, Dominic

**Sent:** Monday, 25 November 2019 10:32 AM

**To:** Paynter, Patrick <[Patrick.Paynter@act.gov.au](mailto:Patrick.Paynter@act.gov.au)>

**Cc:** Liston, Tegan <[Tegan.Liston@act.gov.au](mailto:Tegan.Liston@act.gov.au)>

**Subject:** RE: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11

UNCLASSIFIED

Hi Patrick

Can you please assist with this QON, in particular, a few dot points for 1.b & 1.c:

1. *The electrical utility easement between Ginninderra Estate and the Belconnen Magpies Golf Club in Holt is 90 metres wide. The schematics provided in the DA, the EIS and other supporting documents for the ACT Second Electricity Supply Project all show the new 330,000 kV transmission line (including towers 5a, 6a and 7a) placed in the centre of this easement. Instead, the towers have been built on the western edge of the easement, with the bases of the towers about 20 metres from the easement's boundary. In hearings, when you were asked about your knowledge of where in the easement these towers would be located, you replied, 'I was not the minister in 2014'. Mr Ponton added that the developer (Woodhaven) 'were aware of what was being proposed', and when I asked if this meant that 'the developers understand that these constructions would be built 20 metres away from people's homes', he responded that he would 'be very surprised if they did not'.*
  - a. *Though you were not the minister in 2014, you were the minister who approved the construction of these transmission towers through your call-in powers in 2018. Did you possess any documents when you approved the DA and/or EIS clearly indicating that towers 5a, 6a and 7a would be built near the western boundary of the easement (and therefore directly behind future houses) instead of in the centre of the easement? If so, can you please attach that/those document/s?*
  - b. *Can you provide evidence that the developer (Woodhaven) knew that the towers would not be located in the centre of the easement as depicted in the copies of the DA, EIS and other supporting documents that I have in my possession? When and how was this information provided to them?*
  - c. *You stated in hearings that it was the responsibility of the developer 'to engage with purchasers of those blocks to advise of the possibility of these towers going forward'. How exactly was the developer to do this if it had not yet been given an accurate representation of where in the easement the towers were going to be built?*

Please let me know if you have any issues.

Regards

---

**Dominic Riches** | Impact Assessment  
Phone 02 6205 1834  
Planning Delivery

---

**From:** EPD Ministerials - Planning Delivery <[EPDMinisterials-PlanningDelivery@act.gov.au](mailto:EPDMinisterials-PlanningDelivery@act.gov.au)>  
**Sent:** Monday, 25 November 2019 10:12 AM  
**To:** Liston, Tegan <[Tegan.Liston@act.gov.au](mailto:Tegan.Liston@act.gov.au)>; Riches, Dominic <[Dominic.Riches@act.gov.au](mailto:Dominic.Riches@act.gov.au)>  
**Subject:** FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11

UNCLASSIFIED

Hi Tegan/Dom

Please find attached a **QON** for your urgent attention and action. Please note the very short timeframe. Due to GS on **27/11**.

Thanks  
Anju

---

**From:** EPSD Government Services <[EPSDGovernmentServices@act.gov.au](mailto:EPSDGovernmentServices@act.gov.au)>  
**Sent:** Friday, 22 November 2019 6:49 PM  
**To:** EPD Ministerials - Planning Delivery <[EPDMinisterials-PlanningDelivery@act.gov.au](mailto:EPDMinisterials-PlanningDelivery@act.gov.au)>; EPD Ministerials - Strategic Planning <[EPDMinisterials-StrategicPlanning@act.gov.au](mailto:EPDMinisterials-StrategicPlanning@act.gov.au)>

Cc: O'Neill, Carolyn <Carolyn.O'Neill@act.gov.au>; Sendaba, Bethel <Bethel.Sendaba@act.gov.au>; Phillips, Brett <Brett.Phillips@act.gov.au>

Subject: FOR ACTION - Additional QONs from PUR Committee - AR Hearings - Due COB 27/11

UNCLASSIFIED

Good evening

We have received QONs from a number of MLAs for response as below.

Templates are attached and QONs allocated as below.

QON responses are due back to Gov Services by **COB Wednesday 27 November 2019** (EGM cleared). Ministers have very tight timeframes in which to submit responses.

QON No.	Hearing Date	Directorate / Portfolio / Minister	Question	Line area
06	07/11/19	ESPDD / Minister for Planning and Land Management	The Molonglo Commercial Centre Territory Plan Variation	Building, Design and Projects
07	07/11/19	ESPDD / Minister for Planning and Land Management	Red Hill Integrated Plan and the proposed Federal Gold Club development	Planning, Land and Building
08	07/11/19	ESPDD / Minister for Planning and Land Management	Construction of transmission towers for the ACT Second Electricity Supply Project between Ginninderra Estate and the Belconnen Magpies Golf Club, Holt	Planning Delivery
13	07/11/19	ESPDD / Minister for Planning and Land Management	Strata Laws	Building, Design and Projects
15	07/11/19	ESPDD / Minister for Planning and Land Management	ACT Land and Property Report	Building, Design and Projects

Thankyou

Lisa Sampson | A/g Senior Director, Government Services

Email: [lisa.sampson@act.gov.au](mailto:lisa.sampson@act.gov.au) | Phone: 02 6207 1667 (ext 71667) | Fax: +61 6207 1732 |

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson GPO Box 158 Canberra ACT 2601 [www.environment.act.gov.au](http://www.environment.act.gov.au)



## LEASE CONVEYANCING ENQUIRY

Your response is sought to the following questions in relation to:

**LAND:** Please provide details of the land you are enquiring about.

<b>Unit</b>	0	<b>Block</b>		<b>Section</b>		<b>Suburb</b>	<b>HOLT</b>
-------------	---	--------------	--	----------------	--	---------------	-------------

Leased by the Australian Capital Territory on behalf of the Commonwealth under the Land (Planning and Environment) Act 1991 and Planning & Development Act 2007

- |  | No    | Yes          |
|--|-------|--------------|
| 1. Have any notices been issued relating to the Crown Lease?   | ( X ) | ( )          |
| 2. Is the Lessor aware of any notice of a breach of the Crown Lease?   | ( X ) | ( )          |
| 3. Has a Certificate of Compliance been issued? (N/A ex-Government House) _____  | ( X ) | ( )          |
| Certificate Number: _____ Dated: _____   |       |              |
| 4. Has an application for Subdivision been received under the Unit Titles Act?   |       | (see report) |
| 5. Has the Property been nominated for provisional registration, provisionally registered or registered in accordance with provisions of the Heritage Act 2004?  |       | (see report) |
| 6. If an application has been determined, is the land subject to a Preliminary Assessment, an Assessment or an Enquiry under Party IV of the Land Act 1991, or an Environmental Impact Statement under Chapter 8 of the Planning & Development Act 2007? |       | (see report) |
| 7. Has a development application been received, or approval granted for development under the Land Act 1991, or the Planning & Development Act 2007 in respect of the Land?  |       | (see report) |
| 8. Has an application been received or approved for Dual Occupancy? (applications lodged prior to 2 April 1992 will not be included)   |       | (see report) |
| 9. Has an Order been made in respect of the Land pursuant to Section 254, 254A, 255 and 256 of the Land Act 1991 or Part 11.3 of the Planning & Development Act 2007?  |       | (see report) |
| 10 Contaminated Land Search - Is there information recorded by Environment ACT regarding the contamination status of the land?   |       | (see report) |

Customer Service Centre

Date: 07-AUG-18 14:48:12

Applicant's Name :

E-mail Address :

Client Reference :

Info Track

SM:2018/003833

**Did you know? Lease Conveyancing enquiries can be lodged electronically at [www.canberraconnect.act.gov.au](http://www.canberraconnect.act.gov.au) For further information, please contact the Lease Conveyancing Officer on 62071923**



Dame Pattie Menzies Building  
 16 Challis Street  
 Dickson, ACT 2602

07-AUG-2018 14:48

**PLANNING AND LEASE MANAGER (PaLM)  
 LEASE CONVEYANCING ENQUIRY REPORT**

Page 1 of 2

**INFORMATION ABOUT THE PROPERTY**

**HOLT Section**   **Block**  

**Area(m2):** 250.0

**Subdivision Status:** Application not received under the Unit Titles Act.

**Heritage Status:** Nil.

**Assessment Status:** The Land is not subject to a Preliminary Assessment, an Assessment or an Enquiry under Part IV of the Act concerning the Land.

**DEVELOPMENT APPLICATIONS ON THE PROPERTY (SINCE APRIL 1992)**

No Applications Found.

**DEVELOPMENT APPLICATIONS ON THE ADJACENT PROPERTIES (LAST 2 YEARS ONLY)**

The information on development applications on adjacent blocks is to assist purchasers to be aware of possible nearby development activity. Please note however, it doesn't cover all development activity. Since the introduction of the Planning and Development Act 2007, a significant range of development activity can be undertaken without development approval. Exempt activities include but are not limited to, new residences, additions to residences, certain sheds, carports and pergolas etc. Information on exempt developments can be found at [http://www.planning.act.gov.au/topics/design\\_build/da\\_assessment/exempt\\_work](http://www.planning.act.gov.au/topics/design_build/da_assessment/exempt_work)

Sect	Blk	DA No.	Description	Overlay Policy	Status
			Schedule 2.2(a)(ii)		21-DEC-17
					10-JAN-17



Dame Pattie Menzies Building  
16 Challis Street  
Dickson, ACT 2602

07-AUG-2018 14:48

**PLANNING AND LEASE MANAGER (PaLM)**  
**LEASE CONVEYANCING ENQUIRY REPORT**

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## Schedule 2.2(a)(ii)

### LAND USE POLICIES

To check the current land use policy in the suburb that you are buying a property in, please check the Territory Plan online at <http://www.legislation.act.gov.au/ni/2008-27/current/default.asp>

### CONTAMINATED LAND SEARCH

Information is not recorded by the Environment Protection Authority regarding the contamination status of the land. However, this does not absolutely rule out the possibility of contamination and should not be interpreted as a warranty that there is no contamination. To be completely sure, independent tests should be arranged.

### ASBESTOS SEARCH

ACT Government records indicate that asbestos (loose fill or otherwise) is not present on this land. However, the accuracy of this information is not guaranteed. If the property was built prior to 1 January 2004, you should make your own enquiries and obtain reports (from a licensed Asbestos Assessor) in relation to the presence of loose-fill asbestos insulation (and other forms of asbestos e.g. bonded asbestos) on the premises.

### CAT CONTAINMENT AREAS

Residents within cat containment areas are required to keep their cats confined to their premises at all times. The ACT Government pursuant to Section 81 of the Domestic Animals Act 2000, has declared the following areas to be cat containment areas: BONNER, COOMBS, CRACE, DENMAN PROSPECT, FORDE, JACKA (from 1 January 2017) LAWSON, MOLONGLO, MONCRIEFF, THE FAIR in north WATSON, THROSBY and WRIGHT. More information on cat containment is available at [www.tams.act.gov.au](http://www.tams.act.gov.au) or by phoning Access Canberra on 13 22 81.

### TREE PROTECTION ACT 2005

The Tree Protection Act 2005 protects individual trees of importance and urban forest areas that require particular protection. A Tree Register has been established and can be found on the Territory and Municipal Services website [http://www.tams.act.gov.au/parks-recreation/trees\\_and\\_forests/act\\_tree\\_register](http://www.tams.act.gov.au/parks-recreation/trees_and_forests/act_tree_register) or for further information please call Access Canberra on 132281

----- END OF REPORT -----



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QON No. 08**

STANDING COMMITTEE ON PLANNING AND URBAN RENEWAL  
CAROLINE LE COUTEUR MLA (CHAIR), MARK PARTON MLA, MICHAEL PETERSSON MLA

**Inquiry into referred 2018–19 Annual and Financial Reports**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Ms Kikkert:

In relation to: construction of transmission towers for the ACT Second Electricity Supply Project between Ginninderra Estate and the Belconnen Magpies Golf Club, Holt

Environment, Planning and Sustainable Development Directorate, 2018–19 Annual Report, output class 1.2 Planning and Building Policy, pp. 39 and 258

1. The electrical utility easement between Ginninderra Estate and the Belconnen Magpies Golf Club in Holt is 90 metres wide. The schematics provided in the DA, the EIS and other supporting documents for the ACT Second Electricity Supply Project all show the new 330,000 kV transmission line (including towers 5a, 6a and 7a) placed in the centre of this easement. Instead, the towers have been built on the western edge of the easement, with the bases of the towers about 20 metres from the easement's boundary. In hearings, when you were asked about your knowledge of where in the easement these towers would be located, you replied, 'I was not the minister in 2014'. Mr Ponton added that the developer (Woodhaven) 'were aware of what was being proposed', and when I asked if this meant that 'the developers understand that these constructions would be built 20 metres away from people's homes', he responded that he would 'be very surprised if they did not'.
  - a. Though you were not the minister in 2014, you were the minister who approved the construction of these transmission towers through your call-in powers in 2018. Did you possess any documents when you approved the DA and/or EIS clearly indicating that towers 5a, 6a and 7a would be built near the western boundary of the easement (and therefore directly behind future houses) instead of in the centre of the easement? If so, can you please attach that/those document/s?
  - b. Can you provide evidence that the developer (Woodhaven) knew that the towers would not be located in the centre of the easement as depicted in the copies of the DA, EIS and other supporting documents that I have in my possession? When and how was this information provided to them?
  - c. You stated in hearings that it was the responsibility of the developer 'to engage with purchasers of those blocks to advise of the possibility of these towers going forward'. How exactly was the developer to do this if it had not yet been given an accurate representation of where in the easement the towers were going to be built?



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2. According to the 'TransGrid Fencing Guidelines', 'If a metal fence is installed near a high voltage transmission line, there is a possibility it could act as a conductor of electricity[,] and dangerous currents may be carried along the fence. These voltages may be an induced voltage from the fence being parallel to a nearby transmission line, or they may be a transferred voltage (or transferred potential), which occurs when a fence is installed too close to the high voltage transmission pole or tower' (p. 1). Further, metal 'fences within 10m of the easement should be earthed once in line with each structure [tower] and once in the middle of each span' (p. 3). Residents in Lionel Rose Street, Holt, have back fences that are metal and located less than 7 metres from the easement. They have informed me that none of their fences has been earthed in relation with TransGrid's own guidelines, as far as they know.
  - a. In light of these guidelines and known risks, why has the boundary of the easement been established less than 10 metres from homeowner's fences?
  - b. Do you know if these fences have been earthed according to TransGrid's guidelines? If not, how can this information be obtained?
  - c. Whose responsibility is it to make sure that these fences have been or will be earthed in accordance with TransGrid's fencing guidelines?
  - d. Assuming these fences are not earthed, what should residents be doing to avoid induced or transferred voltage in their fences until this problem is resolved?
3. I have in my possession the paperwork for the lease of one of the blocks in Ginninderra Estate that has been impacted by the construction of a transmission tower. It includes a Planning and Lease Manager (PaLM) Lease Conveyancing Enquiry Reported dated 7 August 2018. Regarding 'development applications on the adjacent properties' for the past two years, this ACT Government report is silent about the proposed development of the 330,000 kV transmission line and its attendant towers directly behind this property.
  - a. Why was the DA for the ACT Second Electricity Supply Project not listed on this report when the ACT Government was aware of this project since at least 2014 and the DA had already been filed?
  - b. The EIS for this project clearly identified risks to property values for homeowners in Ginninderra Estate. How would a purchaser of a block in Ginninderra Estate learnt about this development since the report from the ACT Government did not list provide this information?



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**MINISTER GENTLEMAN:** The answer to the Member's question is as follows:–

1. DA201732500 (the DA) and the environmental impact statement (the EIS) documentation do not identify the towers in the centre of the easement. Rather, they show the towers being approximately 30 metres from the western edge of the easement. The EIS and the DA were both publicly notified with plans depicting the proposed electricity line and towers to the western side of the easement.

Attachment A is an extract from the draft EIS assessment report (plans) showing the proposed transmission line (depicted as a black line) parallel with the existing 132kV line (depicted as a light purple line). Attachment B contains plans submitted as part of the DA showing the proposed transmission line (depicted as a dark black line) parallel with the existing 132kV line (depicted as a line with an 'E').

The location of the transmission towers within the golf course was discussed between representatives of TransGrid, Woodhaven Investments (the estate developer) and the Belconnen Golf Club to inform the final location of the lines and towers. Once the final location was agreed, the development application was consented to by Woodhaven and the Golf Club. The lessee authorisation form of lodgement of the DA was signed by an authorised representative of Woodhaven on 14 December 2017.

2. The registered electrical easement has existed through the golf course for a number of decades. The easement is approximately 90m wide and was established to cater for existing and future transmission lines to secure the electricity supply for the whole of the ACT.
  - a. The width of the registered easement has not changed as part of the DA.
  - b. TransGrid has undertaken an audit of fences that currently do not comply with earthing requirements. The audit identified a number of fences within and outside the easement that do not comply. Prior to August 2020 (operation), fences will require earthing at properties adjacent to towers and fencing across the easement.
  - c. TransGrid requires all metal fencing within proximity of the easement to be earthed. Following the fencing safety audit undertaken by TransGrid, which identified a number of fences that require earthing, TransGrid will work with residents to ensure all rectification work will be undertaken.
  - d. Although there is no immediate issue, any concerns should be raised with TransGrid so that these can be resolved prior to operation commencing.
3.
  - a. Development Application (DA) 201732500 was lodged on 22 February 2018 over 11 large blocks. Due to IT system limitations, a number of blocks had to be manually removed from the database in order for the public notification package for that DA to be produced. Upon completion of the public notification process, the blocks that were removed from the database should have been entered back into the system. Due to an administrative oversight, this did not occur. At the time the lease conveyancing report was produced for Block 18 Section 128 Holt, DA201732500 on Block 2 Section 132 Holt was not referenced as a result of that



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administrative error. Once Access Canberra was made aware of the error, the information in the planning database was updated to reflect all the subject blocks on which the development application was lodged and standard operating procedures were reviewed and updated to ensure this error does not occur again in the future.

- b. The EIS and the DAs for this proposal underwent significant community consultation processes and were publicly notified in accordance with the requirements of the *Planning and Development Act 2007* (the Act).

The Draft EIS and DAs were notified concurrently between 5 March 2018 and 26 April 2018 (35 working days). The applications and representations received during this process were made available on the Planning website for viewing by the public during the consultation period as required by the Act. Over 500 letters were sent to lessees of blocks adjacent to the proposed development and 12 notification signs were erected along the boundary of the development site for the public notification period.

The estate developer for Ginninderra Estate (Woodhaven Investments) was consulted in relation to the details of the DA and provided authorisation for the DA to be lodged by way of a signed lessee authorisation form. The estate developer, who sold blocks to homeowners in 2018, was in a position to communicate the matters which were the subject of the DA to prospective buyers.

Blocks in the Ginninderra Estate (especially blocks in Section 128 Holt) have been developed next to an existing electrical easement, which contains existing 132 kV powerlines. This easement has been in place for many decades and was established to provide for current and future electrical infrastructure. The new electrical infrastructure is being constructed within the boundaries of the existing electrical easement at the required distance from both the easement boundary and the existing electrical infrastructure within the easement. The new powerlines are for the ACT Second Electrical Supply project which is contributing to energy security for all residents of the ACT.

**Commented [BJ1]:** Waiting for Access Canberra clearance

**Commented [TG2R2]:** Cleared by Access Canberra EGM (David Snowden), DDG (David Pryce) and Minister Ramsay's Office.

Approved for circulation to the Standing Committee on Planning and Urban Renewal

Signature:

Date:

By the Minister for Planning and Land Management, Mick Gentleman MLA